REMARKS

Claims 1-32 are pending and at issue in this patent application. Of these, claims 1, 11, 18, 20, and 29 are independent.

Claims 1, 11, 13, and 14 are amended to correct minor typographical errors. However, no new subject matter has been introduced and these amendments are not made for patentability reasons.

Applicants respectfully traverse the rejection of claims 1-5, 9-14, 18-25, and 29-32 as anticipated by Chatterjee et al., U.S. Patent No. 5,774,661 ("Chatterjee") and respectfully traverse the rejection of claims 6-8, 15-17, and 26-28 as obvious over Chatterjee in view of Brezak, Jr. et al., U.S. Patent No. 6,427,209 ("Brezak").

Each of the pending claims recites a system or a method wherein security information is collected contemporaneously with the initiation of a function and wherein the execution of the function is determined based on the collected security information. Neither Chatterjee nor Brezak discloses the collection of security information contemporaneously with the initiation of a function in order to determine whether the function may be executed. As a result, Chatterjee cannot anticipate any of the pending claims. Furthermore, because no combination of Chatterjee and Brezak includes the element of collecting security information contemporaneously with the initiation of a function or using this contemporaneously collected security information to determine whether the function may be executed, no combination of Chatterjee and Brezak can render any of the pending claims obvious.

While Chatterjee discloses an automated workflow generation system that performs resource availability checking, Chatterjee does not disclose the collection of security information collected contemporaneously with the initiation of a function for determining whether the function may be executed. Instead, as indicated by the section of Chatterjee cited by the Examiner (col. 5, lines 21-38), the workflow server of Chatterjee responds to requests for service by first checking to determine if a resource is available and then routing the request to the resource if the resource is, in fact, available. This resource checking of Chatterjee ensures that a resource is available before initiating a function using that resource, which is not the same as determining whether the entity (e.g., person) requesting the function has the requisite authority or authorization to perform the function. Thus, this portion of Chatterjee does not disclose the element of determining whether or not a function should be

executed based on security information of any kind, much less based on security information collected contemporaneously with the initiation of the function, as recited by the pending claims.

While Chatterjee discloses a general system authentication process that is commonly known in the art, this general authentication process is not the function based authentication process recited by the pending claims of the application. In particular, Chatterjee discloses a general logon process that, similar to other known systems, potentially contains a security loophole. This security loophole may arise when a user logs on to a system terminal, thereby completing the general system authentication procedure, and then physically leaves the system terminal unattended. Any other person may then use the system terminal to access functions enabled by the logon procedure. The system and method of the pending claims, however, prevents unauthorized execution of critical functions by requiring collection of security information contemporaneously with the initiation of the function and then using the contemporaneously collected security information to determine whether the function may be executed. Consequently, process critical functions may be protected against unauthorized execution even after a general terminal authentication process has been performed by an authorized user. Therefore, while Chatterjee discloses a general system logon process, Chatterjee does not disclose the collection of security information contemporaneously with the initiation of a function or using this security information to determine whether the function may be executed, as recited by the pending claims.

While Brezak discloses a method for combining a terminal computer logon procedure and a network authentication procedure, Brezak does not disclose collecting security information contemporaneously with the initiation of a function and using this security information to determine whether the function may be executed. Instead, Brezak discloses a computer terminal logon and network access authentication process that reduces the number of network requests necessary for network authentication and terminal logon. The Brezak system does not, however, tie this logon procedure to performing a function within a process control system. In fact, after the logon procedure is complete, the user may implement any desired function without entering any contemporaneous security information. Thus, similar to the known systems described above, Brezak only collects security information for a general logon process that may allow a user to access and execute logon-enabled functions anytime after authentication is successfully performed. Brezak does not disclose, in any way, the

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collection of security information contemporaneously with the initiation of a function in order to determine whether the function may be executed, as recited by the pending claims.

Because neither Chaterjee nor Brezak discloses collection of security information contemporaneously with the initiation of a function in order to determine whether the function may be executed, as recited by each of the pending claims, it follows that neither Chaterjee nor Brezak can anticipate any of the pending claims and that no combination of Chaterjee and Brezak can render any of the pending claims obvious.
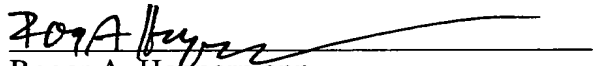
Conclusion

Applicants have now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other reasons clearly apparent, Applicants respectfully request reconsideration and allowance of claims 1-32.

Although Applicants believe that no other fees are due, the Commissioner is hereby authorized to charge any fees or to credit any overpayments to Deposit Account No. 13-2855 of Marshall, Gerstein & Borun LLP. In addition, if a petition for an extension of time under 37 CFR 1.136(a) is necessary to maintain the pendancy of this case and is not otherwise requested in this case, Applicants request that the Commissioner consider this paper to be a request for an appropriate extension of time and hereby authorize the Commissioner to charge the fee as set forth in 37 CFR 1.17(a) corresponding to the needed extension of time to Deposit Account No. No. 13-2855 of Marshall, Gerstein & Borun LLP.

If there are matters that can be discussed by telephone to further the prosecution of this application, Applicants respectfully request that the Examiner call its attorney at the number listed below.

Respectfully submitted,

Roger A. Heppermann
Registration No. 37,641
MARSHALL, GERSTEIN & BORUN LLP
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6402
312-474-6300

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